

**704 KAR 7:150. Secondary GED Program.**

RELATES TO: KRS 151B.125, 158.145, 158.146, 158.6455

STATUTORY AUTHORITY: KRS 156.070, 156.160

NECESSITY, FUNCTION, AND CONFORMITY: KRS 158.146 requires the Department of Education to establish and implement a comprehensive statewide strategy to address the student dropout problem in Kentucky public schools and take into consideration comprehensive student programs and services that include identification, counseling, mentoring and other educational strategies for elementary, middle and high school students who are demonstrating little or no success in school, or who possess other risk factors that contribute to the likelihood of their dropping out of school. KRS 151B.125 requires that a high school equivalency diploma be issued upon successfully passing the GED tests given by the General Educational Development Testing Service (GEDTS) of the American Council on Education. The American Council on Education grants waivers to states to establish a Secondary GED Program as an integral component of a high school curriculum. The GEDTS requires that the Secondary GED Program align with the five (5) content areas measured by GED tests as well as with high school content in mathematics, writing, social studies, reading and science. The General Educational Development Testing Service requires that states request and receive approval prior to administering the GED tests to students enrolled in secondary schools. KRS 156.160 requires the Kentucky Board of Education to establish standards that school districts shall meet in student, program, service and operational performance. KRS 158.6455 requires that a student not be counted in a school's annual average dropout rate if enrolled in a district-operated or district-contracted alternative program leading to a certificate of completion or a General Education Development (GED) diploma. The purpose of the Secondary GED Program shall be to provide a potential dropout student who has the academic capability to complete high school graduation requirements but who is behind the cohort group in the credits needed graduate the opportunity to stay in school and prepare for and obtain the GED certificate. This administrative regulation establishes requirements governing the Kentucky Secondary GED Program.

Section 1. Definition. "Section 504 Plan" is defined by KRS 156.027(1)(e).

Section 2. Eligibility. (1) To be eligible for participation in the Secondary GED Program, a student shall:

- (a) Be at least sixteen years old;
- (b) Be at least two (2) grade levels behind (as measured by Carnegie Units) the cohort group with which the student entered high school and have earned at least four (4) credits toward graduation;
- (c) Be academically able to participate in the program as identified by:
  - 1. A Normal Curve Equivalent (NCE) of at least twenty-nine (29) in reading, language and mathematics on the Comprehensive Test of Basic Skills (CTBS) assessment administered in the ninth grade;
  - 2. Other assessment data; and
  - 3. Professional judgment by school and district staff; and
- (d) Be provided all available intervention and support options to complete regular high school graduation requirements including counseling, appropriate remedial services, or alternative education before placement in the Secondary GED Program is considered.

(2) Prior to assigning an eligible student to a Secondary GED Program, a local district shall:

- (a) Provide preentry counseling involving an administrator, teacher and counselor to the student and parent or guardian that includes discussion of alternative educational options available and a detailed explanation of the requirements of the GED program; and
  - (b) Obtain a written agreement from the student and parent or guardian to voluntary program participation and arrangements for payment of the GED test fee, applying 702 KAR 3:220 for waiver of the fee if appropriate.
- (3) A student with a disability who has an Individual Education Plan (IEP) or Section 504 Plan shall be placed in the Secondary GED Program only if the eligibility requirements established in subsection (1) of this section are met and the admissions and release committee or 504 committee determines and documents placement in the Secondary GED Program as appropriate.

Section 3. Instructional Program. (1) A local district implementing the Kentucky Secondary GED Program shall design a high school level instructional program that includes for each student who is to participate in the Secondary GED Program:

(a) The development of an individualized educational plan for each student consistent with the student's Individual Graduation Plan (IGP) and the student's goals for continuing education and employment;

(b) Curriculum and instruction aligned with the program of studies as established in 704 KAR 3:303, student learning goals applicable to all students in the school district, and the content assessed by the GED test;

(c) Student participation in the Commonwealth Accountability Testing System as established by 703 KAR Chapter 5 and KRS 158.6455 while enrolled in the program;

(d) Materials and resources specifically designed to prepare the student to pass the GED tests and obtain a GED certificate;

(e) Continuous assessment and progress reports;

(f) A minimum of fifteen (15) hours of direct instruction each week;

(g) Student participation, in addition to the required hours of direct instruction, in at least one (1) of the following each semester:

1. Service learning;

2. Vocational education;

3. Additional coursework;

4. An internship;

5. A cooperative learning project; or

6. Any other learning activity aligned with the student's Individual Graduation Plan; and

(h) Varied instructional strategies that shall include some combination of all of the following:

1. Individualized instruction;

2. Small group instruction;

3. Applied instruction; and

4. The development of basic technology literacy skills.

(2) A local district shall assign properly certified teachers to supervise the instruction of students enrolled in a Secondary GED Program.

(3) A local district shall provide a student to teacher ratio of no more than fifteen (15) to one (1) for students enrolled in a Secondary GED Program, unless an exception is approved by the Department of Education.

(4) A local district shall provide academic, career and personal counseling services to a student enrolled in a Secondary GED Program throughout program participation.

(5) A local district may contract with another provider to offer the secondary GED instructional program but shall ensure that the provider meets all student eligibility and instructional program requirements.

Section 4. GED Testing and Program Completion. (1) A local district shall establish criteria describing when students may take the GED tests.

(2) The student shall be prepared to take the GED test as measured by standard scores of not less than 430 on each of the five (5) tests and an average standard score of not less than 480 on the official GED practice test prior to taking the GED test.

(3) A local district shall coordinate the scheduling of and access to GED tests with the official state GED testing centers.

(4) A local district shall establish criteria for Secondary GED Program completion.

(5) A local district shall provide a student who has passed the GED tests and completed the Secondary GED Program with a certificate of high school completion in addition to the Kentucky High School Equivalency Diploma.

(6) A local district shall provide official, public recognition to a student completing a Secondary GED Program.

Section 5. Funding and Attendance Accounting. (1) For purposes of Support Education Excellence in Kentucky (SEEK) Program funding eligibility, for students enrolled in a Secondary GED Program, a local district shall conform to the uniform method of recording pupil attendance as established in 702 KAR 7:125.

(2) A local district may seek approval from the Department of Education to administer a Secondary GED Program under a performance-based credit plan as identified in 704 KAR 3:304, Required Program of Studies.

Section 6. Application Procedures. (1) A local district shall submit an application to the Department of Education and secure approval prior to establishing a new Secondary GED Program. The written application shall describe how the local district will:

(a) Identify, counsel and admit eligible students in compliance with Section 1 of this administrative regulation;

(b) Meet the instructional program requirements in compliance with Section 2 of this administrative regulation;

(c) Meet the testing and program completion requirements identified in Section 3 of this administrative regulation; and

(d) Organize, administer, prepare teachers and counselors for the program, as well as evaluate the program.

(2) The initial application for a Secondary GED Program shall include written assurance from the local superintendent that the program will be administered in compliance with state statutes and administrative regulations.

(3) A local district shall submit an application to establish a new Secondary GED Program at least ninety (90) days prior to the first day on which services are to begin.

(4) The Commissioner of Education shall notify the local superintendent of a decision on the application no later than forty-five (45) days after the application is received.

Section 7. Reporting and Program Evaluation. A local district operating a Secondary GED Program shall submit to the Department of Education no later than June 30 of each year an annual report on the Secondary GED Program that shall include:

(1) A summary of demographic information about the students who participated in the Secondary GED Program during the just concluded school year, including gender, age, race and ethnicity;

(2) The number of enrolled students who have an individual education plan (IEP) or Section 504 plan;

(3) The number of enrolled students who are eligible for the national free and reduced lunch program;

(4) The number of students who attempted a GED test or tests;

(5) The number of students who passed a GED test or tests;

(6) The number of students who completed the Secondary GED Program; and

(7) The qualifications of the supervising teachers.

Section 8. Monitoring. (1) Based upon the data submitted in the annual report and desk audits, the Department of Education shall provide or identify appropriate assistance to a district that is not meeting the standards for a Secondary GED Program as set forth in this administrative regulation.

(2) The Department of Education may revoke program approval if a district fails to meet the standards for two (2) consecutive years. This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(4). (31 Ky.R. 1034; Am. 1406; eff. 2-24-2005.)

